

## **REMARKS**

In the Official Action mailed on **23 June 2009**, the Examiner reviewed claims 38-47. Examiner rejected claims 38-41, 46, and 47 under 35 U.S.C. § 103(a) based on Rabin et al. (U.S. Patent No. 6,697,948, hereinafter “Rabin”), and Tinney (“*Organize Your Finances in a Weekend with Quicken® 2000*”, hereinafter “Tinney”). Examiner rejected claims 42-45 under 35 U.S.C. § 103(a) based on Rabin and Tinney as applied to claim 38, and further in view of another embodiment of Rabin.

### **Rejections under 35 U.S.C. § 103(a)**

Examiner rejected claims 38-41, 46, and 47 under 35 U.S.C. § 103(a), asserting that these claims are unpatentable over Rabin in view of Tinney. Applicant respectfully disagrees with this rejection. Rabin and Tinney do not disclose, either alone or in concert, a client computer which sends a request to a server computer to access an **additional** feature for an **existing** software program, and in response to sending the request, the client computer **receives the additional feature** from the server computer, and receives current software license information **indicating that the user is licensed to run the additional feature**.

Rabin discloses a monitoring program which runs on a user’s device to ensure that no unauthorized use is taking place for an instance of a software product, and discloses a guardian center which communicates with the monitoring program to **restrict** a software product when an unauthorized use is detected (see Rabin, abstract, and col. 5, lines 8-28). Specifically, the guardian center sends a **continuation message** to the user’s device, which specifies whether the user’s device needs to disable or re-enable a software that was **previously installed** on the user’s device. Applicant respectfully notes that the continuation message provides an **update** for tag fields **which already exist** on the user’s device (see

Rabin, col. 48, line 47 – col. 49, line 2, and col. 50, lines 33-65). In other words, the Rabin continuation message is not capable of providing a **new tag** field to the user's device. Furthermore, Rabin does not disclose anywhere that the guardian center is capable of sending an additional software feature to the user's device. Therefore, the user's device in the Rabin system cannot receive software license information which includes a new tag field **indicating that the user is licensed to run an additional software feature that it received from the guardian center.**

In contrast, embodiments of the present invention provide a system where a client computer can send a request to a server for access to more features (i.e., an **additional** feature) for an existing software program. Specifically, if the server computer determines that the user is licensed to access the requested feature, the **client computer receives the requested feature from the server** computer (see instant application, paragraphs [0036] and [0044]). Applicant respectfully notes that a feature can be implemented as software, which can be executed by a computer (e.g., by a client or by a server) to perform a functionality (see instant application, paragraph [0057]). In other words, the additional feature provides an **additional functionality** for the existing software program.

Furthermore, the client computer also **receives software license information indicating that the user is licensed to run the additional software feature** (see instant application, paragraphs [0022], [0029], and [0051]). Applicant respectfully notes that the client computer and the server continue to exchange software license information to **dynamically update the software license** over time, which allows the modification of an active software license to account for more software features that the client computer receives from the server computer (see instant application, paragraphs [0009]-[0012], [0022], and [0036]).

Accordingly, Applicant has amended claims 38, 46, and 47 to clarify that in embodiments of the present invention, a client computer sends a request to a

server computer to access **an additional feature** for an **existing** software program, such that the additional feature provides an **additional functionality** for the software program. Furthermore, in response to the request, the client computer **receives the requested feature** from the server computer, and receives current software license information **indicating that the user is licensed to run the additional feature**. These amendments find support in paragraphs [0036], [0044], [0051], and [0057] of the instant application. No new matter has been added.

Hence, Applicant respectfully submits that independent claims 38, 46, and 47, are in condition for allowance. Applicant also submits that claims 39-45, which depend upon claim 38, are for the same reasons in condition for allowance and for reasons of the unique combinations recited in such claims.

### CONCLUSION

It is submitted that the present application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

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